

By: Taylor of Collin

S.J.R. No. 12

A JOINT RESOLUTION

1 proposing a constitutional amendment providing for certain excess  
2 revenue to be dedicated toward contributions to state retirement  
3 systems, the health benefit plan for retired education employees  
4 and their dependents, the Texas tomorrow fund, the permanent school  
5 fund, and the permanent university fund.

6 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Section 49-g, Article III, Texas Constitution,  
8 is amended by adding Subsections (p), (q), (r), and (s) to read as  
9 follows:

10 (p) When the comptroller acts to prevent the amount in the  
11 economic stabilization fund from exceeding the limit in effect for  
12 a biennium under Subsection (g) of this section by reducing an  
13 amount transferred to the fund from general revenue as provided by  
14 Subsection (b) or (c) of this section or by crediting to general  
15 revenue interest due to the economic stabilization fund as provided  
16 by Subsection (i) of this section, the comptroller shall credit to  
17 an account in the general revenue fund of the state treasury:

18 (1) if the comptroller reduces the amount transferred  
19 under Subsection (b) of this section, an amount of general revenue  
20 equal to the difference between the amount transferred to the  
21 economic stabilization fund under Subsection (b) of this section  
22 and the amount that would have been transferred under that  
23 subsection but for the limit in effect under Subsection (g) of this  
24 section;

1           (2) if the comptroller reduces the amount transferred  
2 under Subsection (c) of this section, an amount of general revenue  
3 equal to the difference between the amount transferred to the  
4 economic stabilization fund under Subsection (c) of this section  
5 and the amount that would have been transferred under that  
6 subsection but for the limit in effect under Subsection (g) of this  
7 section; and

8           (3) if the comptroller reduces the amount credited to  
9 the economic stabilization fund under Subsection (i) of this  
10 section, an amount of general revenue equal to the amount credited  
11 to general revenue under that subsection.

12           (g) General revenue credited to the account of the general  
13 revenue fund in the state treasury as provided by Subsection (p) of  
14 this section, and the interest or other earnings on the balance of  
15 that account, may be appropriated only for the following purposes:

16           (1) making an additional contribution to the Employees  
17 Retirement System of Texas created under Section 67(b), Article  
18 XVI, of this constitution, subject to Subsection (r) of this  
19 section;

20           (2) making an additional contribution to the Teacher  
21 Retirement System of Texas created under Section 67(b), Article  
22 XVI, of this constitution, or to the health benefit plan created for  
23 the retired members of the Teacher Retirement System of Texas and  
24 their dependents; and

25           (3) making an additional contribution to the Texas  
26 tomorrow fund created under Section 19, Article VII, of this  
27 constitution.

1       (r) The legislature may appropriate general revenue for the  
2 purpose of a contribution described by Subsection (q)(1) of this  
3 section only if the legislature first adopts a resolution finding  
4 that both the Legislative Budget Board, or that board's successor  
5 in function, and the comptroller have determined that the Employees  
6 Retirement System of Texas has not been, for at least three of the  
7 preceding five years, actuarially sound because the system's total  
8 contribution rate has not been sufficient to cover the system's  
9 normal cost and administrative expenses and to amortize the  
10 system's unfunded accrued actuarial liability for a period of 31  
11 years.

12       (s) On the last day of the state fiscal biennium during  
13 which the money was credited to the account of the general revenue  
14 fund in the state treasury as provided by Subsection (p) of this  
15 section, the comptroller shall transfer the remaining  
16 unappropriated and unobligated balance of that account to the  
17 credit of the permanent school fund and the permanent university  
18 fund in equal amounts.

19       SECTION 2. This proposed constitutional amendment shall be  
20 submitted to the voters at an election to be held November 7, 2017.  
21 The ballot shall be printed to provide for voting for or against the  
22 proposition: "The constitutional amendment providing for certain  
23 excess revenue to be dedicated toward contributions to state  
24 retirement systems, the health benefit plan for retired education  
25 employees and their dependents, the Texas tomorrow fund, the  
26 permanent school fund, and the permanent university fund."